

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
CARLOS ENRIQUE PEREZ,	:	
	:	S2 23 Cr. 525 (VSB)
Defendant.	:	
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WHEREAS, on or about October 12, 2023, CARLOS ENRIQUE PEREZ (the “Defendant”), was charged in a Sealed Indictment S2 23 cr. 525 (VSB) (the “Indictment”), with conspiracy to defraud the United States in violation of Title 18, United States Code, Section 371 (Count One); and false swearing in an immigration matter in violation of Title 18, United States Code, Sections 1546(a) and 2 (Count Two);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One and Two of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(6), of all conveyances, including any vessel, vehicle, or aircraft, used in commission of the offenses charged in Counts One and Two of the Indictment, all property, real and personal, that constitutes or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offenses charged in Counts One and Two of the Indictment; and all property, real and personal, that was used to facilitate, or was intended to be used to facilitate, the commission of the offenses charged in Counts One and Two of the Indictment, including but not limited to, a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One and Two of the Indictment;

WHEREAS, on or about January 23, 2025, the Defendant pled guilty to Count Two of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count Two of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(6), a sum of money equal to \$20,000 in United States currency, representing proceeds traceable to the commission of the offense charged in Count Two of the Indictment.

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$20,000 in United States currency representing the amount of proceeds traceable to the offense charged in Count Two of the Indictment that the Defendant personally obtained, for which the Defendant is jointly and severally liable with co-defendant JESSICA PEREZ (the "Co-Defendant"), to the extent a forfeiture money judgment is entered against the Co-Defendant in this case; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count Two of the Indictment, that the Defendant personally obtained, cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Edward Y. Kim, Acting United States Attorney, Assistant United States Attorney, T. Josiah Pertz of counsel, and the Defendant, and his counsel, Louis Fasulo, Esq., that:

1. As a result of the offense charged in Count Two of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$20,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count Two of the Indictment that the Defendant personally obtained, for which the Defendant is jointly and severally liable with Co-Defendant, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, CARLOS ENRIQUE PEREZ, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, 38th Floor, New York, New York 10278 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DANIELLE SASSOON
United States Attorney for the
Southern District of New York

By: /s/ 1-23-2025
T. JOSIAH PERTZ
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(212) 637-2246
DATE

CARLOS ENRIQUE PEREZ

By: [Signature] 01/23/25
CARLOS ENRIQUE PEREZ
DATE

By: [Signature] 1/23/25
LOUIS V. FASULO, ESQ.
Attorney for Carlos Enrique Perez
DATE

SO ORDERED:

[Signature] 1/23/25
HONORABLE VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE
DATE